MINUTES OF THE
BOARD OF REGENTS
Regular Meeting
Friday, April 30, 2010
4:00p.m.

I. PRELIMINARY MATTERS

Attendance:

Board of Regents: Regent Janet Han King, BOR Chairperson; Regent Maria (Paz) Younis, Regent Elaine Hocog Orilla, Regent Frank Rabauliman, Regent Andrew Orsini, and Regent Charles V. Cepeda (via teleconference).

Excused Absent: Regent Malua T. Peter

Honorary Members: Miles Rodriguez, ASNMC President; Randall Nelson, Staff Senate Representative; and Frank Sobolewski, Faculty Senate Representative.

College Staff and Faculty: Lorraine T. Cabrera, Interim President; Frankie Eliptico, OIA Director; Henry Hofschneider, CFAO; Dr. Patrick Moran, Acting Dean of Academic Programs & Services; Dr. John Griffin, Business Department Chair; Rik Villegas, Faculty; Leo Pangelinan, Dean of Student Services; Joyce Taro, Academic Programs & Services; Daisie Camacho, Acting Director Information Technology; Tee Abraham, Dean of COMPASS; Skep Palacios, Budget Analyst; Galvin Deleon Guerrero, OIE Director/Accreditation Liaison Officer; and Helen Camacho, Office of Institutional Advancement (Recorder).

Others: Jesse Borja, NMC Legal Counsel; Moneth Deposa, Saipan Tribune Reporter; Junhan Todeno, Marianas Variety Reporter.

The Regular Meeting of the Board of Regents was called to order on Friday, April 30, 2010, at 4:00p.m., in the BOR Conference room at the Northern Marianas College, Saipan campus.

A. Roll Call

BOR Chairperson Janet Han King called roll call. Six members of the Board of Regents were present. Regent Cepeda participated via teleconference. Regent Peter was absent (excused).

B. Review and Adoption of Agenda
Regent Orsini requested to amend the agenda to add the Cabot & Mantanona contract under New Business. Regent Younis also requested to add the Presidential Search Committee.

**Motion:** Regent Younis moved to adopt the agenda with amendments to add the Cabot & Mantanona contract and the Presidential Search Committee under New Business.

**Second:** Regent Orilla seconded the motion.

**Vote:** The motion passed unanimously.

**C. Review and Adoption of Minutes**

1. December 30, 2009 – Regular
2. January 12, 2010 – Special
3. March 4, 2010 – Special
4. March 15, 2010 – Special
5. April 8, 2010 – Special
6. April 12, 2010 – Special

**Motion:** Regent Orilla moved to adopt the meeting minutes for the December 30, 2009 Regular meeting, January 12, 2010 Special meeting, March 4, 2010 Special meeting, March 15, 2010 Special meeting, April 8, 2010 Special meeting, and April 12, 2010 Special meeting.

**Second:** Regent Orsini seconded the motion subject to changes.

**Vote:** The motion passed unanimously.

**II. PUBLIC COMMENTS/MISCELLANEOUS**

1. Frank Sobolewski was present to speak before the Board not in his role as Faculty Senate representative but as a concerned citizen. He referred to an editorial that came out in the Marianas Variety on April 30 that talked about the NMC Rota and Tinian instructional sites. He urged the college to clarify to the media about the actual services that are being provided at both instructional sites. Mr. Sobolewski also indicated that the media should also focus on the program offerings at these two NMC sites.

2. Regent Orsini shared some comments. He indicated that the college has gone through a lot since the suspension and subsequently the termination of the former president. Regent Orsini mentioned that when staff and faculty make comments regarding issues that relate to the Fernandez case, it is the right of the individual to make speak their mind but also consider how their actions may jeopardize accreditation of the college. He asked the Interim President to convey to the NMC community that one should adhere to the NMC policies with regard to making comments about the case. Regent Orsini urged everyone to move forward and welcomes any comments or questions.

Chairperson King recognized Ms. Tee Abraham, Dean of COMPASS. She went on to ask if Regent Orsini could be specific about the comments he was referring to.

Regent Orsini indicated that he is fully aware of certain comments/statements that were made in the media regarding college matters.

Regent Cepeda suggested moving forward because continuing the discussion might hamper the college’s accreditation.
III. REPORTS

A. ASNMC Report

In a handout provided to Board members, ASNMC President Miles Rodriguez outlined some of the ASNMC activities and projects for Spring 2010. She noted that the ASNMC Officers attended the National Student Leadership Conference in Atlanta, Georgia on April 8-12, 2010. The ASNMC Officers took a test at the conference and passed. They also conducted a survey on H.B. 17-41 to rename the Northern Marianas College (NMC) as the “Governor Carlos S. Camacho Northern Marianas College.” She stated that they were able to survey 100 students and about 90% opposed the proposed change.

B. Staff Senate Report

Staff Senate President Rep. Randall Nelson provided a report (see handout). The Staff Senate recently conducted its election of officers. The Staff Senate is currently looking at its constitution to make necessary changes that will best serve their purposes.

C. Faculty Senate Report

Faculty Senate President Rep. Frank Sobolewski provided a report (see handout). He stated that the election of officers is ongoing to fill vacancies on the Faculty Senate and to fill positions for which the term of office expires at the end of the semester. Two persons have been elected so far: Ms. Amanda Angel was elected to serve as the School of Education representative, and Mr. John Cox was elected to serve as the representative for the Division of Instruction. The election for the at-large Faculty Senate vacancy will take place in May.

D. President’s Report

Interim President Cabrera provided a report (see handout) on recent events. She talked about the Accreditation Self-Study training that was attended by NMC students, staff and faculty in Guam on February 26-27, 2010. In addition, a team of NMC staff and faculty attended the Academic Resource conference in Long Beach, California where they met with Dr. Beno, Dr. Maradian, and other officials of the ACCJC. The Interim President mentioned that of all the meetings or presentations she attended, the most notable one was on Student Success.

CFAO Financial Report – A handout provided by CFAO Henry Hofschneider outlined the College’s current financial position. The report included the following highlights:

1. The House Committee on Ways and Means held a budget hearing. Present were three regents, Interim President Cabrera, and various NMC staff.
2. The Budget Hearing Appropriations budget request was submitted on March 8, 2010.
3. Total Budget request - $9,923,758.
   a. Business unit 1605: $5,689,432
   b. Business unit 3450: $1,206,292
   c. U.S. apprenticeship program: $3,027,376
4. The Senate Budget Hearing is scheduled for May 11, 2010.
5. CUC Billing –
On April 15, 2010, NMC staff met with Mr. Tony Muna, CUC executive director. Mr. Muna presented to the college the outstanding monthly utility billings from August 2009 to February 2010 for a total amount of $440,372.35. The breakdown listed below shows the college’s outstanding monthly utility billings:

<table>
<thead>
<tr>
<th>Month</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>August 2009</td>
<td>$49,519.64</td>
</tr>
<tr>
<td>September 2009</td>
<td>$62,067.01</td>
</tr>
<tr>
<td>October 2009</td>
<td>$67,659.78</td>
</tr>
<tr>
<td>November 2009</td>
<td>$66,034.00</td>
</tr>
<tr>
<td>December 2009</td>
<td>$65,238.57</td>
</tr>
<tr>
<td>January 2010</td>
<td>$70,033.28</td>
</tr>
<tr>
<td>February 2010</td>
<td>$59,800.07</td>
</tr>
<tr>
<td>Total</td>
<td>$440,372.35</td>
</tr>
</tbody>
</table>

E. BOR Standing Committees

1. Fiscal & Legislative Committee
   a. Board Resolution No. 2010-02: To update bank account signatories
      
      **Motion**: Regent Rabauliman moved to adopt Board Resolution no. 2010-02 to update bank account signatories.
      
      **Second**: Regent Orilla seconded the motion.
      
      **Vote**: The motion passed unanimously.

   b. FY2007 & 2008 Financial Audit – Tabled for next meeting. Summaries will be provided by the CFAO.

   c. PPEC Boardsmanship Training –
      
      **Motion**: Regent Rabauliman moved to add an agenda item under the Fiscal Committee report as 1(c) PPEC Boardsmanship training.
      
      **Second**: Regent Younis seconded the motion.
      
      **Vote**: The motion passed unanimously.

Regent Rabauliman informed the Board that the committee met and discussed the upcoming PPEC Boardsmanship Training that will be held in Honolulu on June 14-15, 2010 at the Honolulu Community College. He indicated that although funding may be a concern, it is a requirement that the Board must undergo and therefore, the committee recommends that they all attend the training as part of the Board’s on-going professional development.

Galvin Deleon Guerrero, Accreditation Liaison Officer, added that there are accreditation standards that call for board development and new board member orientation. Also, Northern Marianas College throughout its accreditation has been cited for lack of board professional development, especially in the area of accreditation. The PPEC board training that will be offered in June will cover a large part of that component.

The Board will deliberate further and will finalize its decision at a later date when Interim President Cabrera provides a status report on the total cost of the travel.
2. Personnel Committee
   a. HR Policy Revision

Regent Orsini, Personnel Committee chairperson, informed the Board that the committee met and provided a status update on the HR Policy revision. It was learned that the salary study would be completed by HR consultant Frank Gibson in September 2010. The committee is hopeful that a first draft will be ready by then and will be presented to the NMC community.

3. Program Committee

Regent Younis, Program Committee chairperson, informed the Board that the committee was not able to have its meeting due to no quorum. Regents Peter and Cepeda were both excused. Regent Younis indicated that she and some of the staff met with a group of individuals who were interested in presenting a plan for a golf academy. However, she referred the proposal to the administration to conduct a feasibility study of the plan.

Regent Younis also indicated that she met briefly with Dr. Patrick Moran, Acting Dean of Academic Programs & Services, to discuss the possibility of NMC collaborating with the Northern Marianas Trades Institute (NMTI). NMTI would like to explore and mirror a program similar to the program that Guam Community College has with the Guam Trades School.

IV. OLD BUSINESS
   a. WASC Accreditation Update -

Galvin Deleon Guerrero, Accreditation Liaison Officer, made some minor changes to the report (see handout) before making his presentation. The changes are listed below:

1. Page 2 under 1(c): minor typo, delete one of the Drs.
2. Page 5 listing of Accreditation Self-Study training participants: Dr. Dean Papadopoulos was not able to attend the Self-Study training in Guam and was replaced by Honorary Student Regent Miles Rodriguez.
3. Accreditation presentations were conducted with the members of the 17th CNMI Legislature.

V. NEW BUSINESS
   a. Cabot & Mantanona contract –

Interim President Cabrera informed the Board that the billing is for additional work because the law firm did not complete the other matters that they were tasked to do. The amount exceeded the original contract amount of $25,000.

Regent Cepeda wanted to know if there were two tasks that were done by the law firm and did the contract only ask for one task.

Chairperson King indicated that they continued their task but the billing exceeded twenty-five thousand. The amount went beyond the contract amount.
Regent Cepeda said that he is surprised that a legal firm continued working beyond the contracted amount without getting proper approval for additional funding prior to starting the work. He asked if there was any indication given to the law firm to proceed.

Interim President Cabrera informed Regent Cepeda that it was work that was already part of the scope of work.

Regent Cepeda indicated that if the contract specifically says no more than $25,000, then one should not exceed the amount before getting prior approval.

Legal Counsel Borja said that the contract governs, and that in his experience, when you are going to exceed the amount or exceed the time in the contract, then you should seek an amendment to the contract.

Chairperson King said that the law firm is seeking an amendment to exceed the contract amount. Regent Cepeda said that the work is already completed. Chairperson King said that the law firm has been communicating with the college regarding their need to amend the contract.

Interim President Cabrera said that the communication between the law firm and the college occurred prior to the hearing.

Regent Cepeda said that there is an indication that the Interim President did receive notice from the law firm and she did give approval to proceed to exceed the contract amount. He said that the balance due is $24,752. He asked if this is the amount being asked to be approved and is it within the scope of work.

Interim President Cabrera clarified to the Board that in her last conversation with the law firm, she indicated to them that their contract would be discussed at the upcoming Board of Regents meeting. However, the law firm has yet to communicate to her about a new billing.

Legal Counsel Borja said that the law firm billed the college for $24,557 and NMC paid it. The law firm is billing the college for an additional $24,752.

Regent Cepeda said that this billing is for $49,000. He suggested that the Board stay within the original contract amount of $25,000 unless Interim President Cabrera can show the Board that there was an agreement prior to receiving the second billing.

Chairperson King asked if this matter can be forwarded to the Fiscal & Legislative Committee for further review.

b. Presidential Search Committee –

Chairperson King explained that the Board is responsible for setting the parameters and the appropriate duties of the Presidential Search Committee.

Regent Orilla indicated that there is an existing Board procedure for a Presidential Search Committee that was adopted previously. She requested if those procedures can be brought about again and to see if they can be reviewed by the Personnel Committee.

Chairperson King recommended that the Board set a date for a Special meeting in the near future to tackle the items that have been tabled.
VI. MISCELLANEOUS MATTERS

None.

VII. ADJOURNMENT

The meeting adjourned at 5:58p.m. on April 30, 2010. A Special meeting is scheduled for May 6, 2010.